

**Questions Generated from the Portsmouth and Paducah Project Office (PPPO)
Remediation RFP – Group 4 (January 28, 2004 – February 4, 2004)**

26. C.1.4: The scope entitled “Soils” is found in the posted WBS under “Surface Water – WBS 04.01.01.21 and WBS 04.01.01.22”. Cross-walking these for the bidders may be beneficial.

Answer: Noted. The scope entitled “Soils” is found in the posted WBS under “Surface Water – WBS 04.01.01.21 and WBS 04.01.01.22”. Offerors are reminded that the WBS structure in the existing baseline is different than that in the Remediation RFP scope of work.

27. Section C.1.2.2.2 (e) [Paducah]: At contract transition, which DMSA characterization reports will be complete?

Answer: DOE is unable to predict the completion status at contract transition of the DMSA characterizations. For the purpose of proposal preparation, offerors are advised to use the status as provided in the RFP Exhibits C.1.2.2.a and C.1.2.2.b. Two additional Reports have been submitted to the Commonwealth (OS-18 and C-400-05) since 10/26/03. These will be posted to the Remediation RFP Web Site.

28. Section J, Attachment 5.1 (Paducah): identifies funding limits for four PAs, PA-0020, PA-0011, PA-0013, and PA-0040. The PBS narratives identify six PAs: the four that are funded and PA-0102 and PA-0103. Please clarify if DOE has budgeted these and therefore does not require the offerors to submit estimates for these PAs as part of the proposal

Answer: The PA-0102 and PA-0103 are not included as part of the Remediation Scope of Work at Paducah. The PA descriptions were included in Section J, Attachment 5.1 for information and use in the development of the Site Lifecycle Baseline. Cost estimates for these PAs are not to be submitted as part of the proposal.

29. Section J, Attachment 5.1(Paducah), PA-0102: Is preparation of the triennial D&D Fund report to Congress included in this scope?

Answer: The preparation of the report is not a part of the Scope of Work, however, the contractor will be required to provide data to the DOE for its use in preparing the report.

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30. Section C.1.2.1.2 (Paducah)—Please clarify the quantities and types of metals to be dispositioned by the Contractor under this Contract. Useful information would be the expected status of metals at the end of the transition period, the remaining value and schedule for the incumbent metals subcontract referenced in table C.1.2.1.

Answer: The RFP Table C.1.2.1a provides the types of scrap metal to be dispositioned and Table C.1.2.1b provides the estimated quantity of material to be dispositioned. For the purpose of proposal preparation, offerors should use the types and quantities of scrap metals as stated in the RFP.

31. C.1.2.2.1 General Information [Paducah]. The DOE accepted custody of a wide range of material from USEC during the privatization of the uranium enrichment operations. These materials are stored within 160 locations throughout the site and are designated as DMSAs. The DMSAs are collectively identified as a Category 2 Nuclear Facility in accordance with 10 CFR 830 due to potential criticality concerns. Question - Are all DMSA's Cat 2 Nuclear Facilities?

Answer: No. In addition, final characterization reports for the DMSAs that have been fully characterized have been posted to the Remediation RFP Web Site as “Department of Energy Material Storage Area Final Inventory/Characterization Report (abridged).”

32. [Paducah] Please provide characterization data for the installed equipment in the C-410/420 complex.

Answer: The Engineering Evaluation /Cost Analysis for C-410 (DOE/OR/07-1952&D2) contains characterization data for the C-410/420 Complex, and is posted on the Remediation RFP Web Site.

33. Section B.2.7, Conditional Payment of Fee, Profit and Other Incentives, states the contractor can have 100% of its fee reduced for failure to “obtain required DOE approval of an ISMS.” In the safeguarding of restricted data 100% fee can be lost for “creating a risk ... of unauthorized disclosure of Top Secret information.” The risk determination is completely at the discretion of the DOE with no recourse for the contractor. Failing to obtain DOE approval of the ISMS can result in total loss of fee, which for a small business can mean failure to meet banking covenants and recall of the credit line. While a large business may be able to absorb a quarterly fee loss and not jeopardize its line of credit, the same does not hold true for a small business that has far less financial resilience.

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Recommendation: Lower the percentage of fee at risk. A small business will need a certain amount of fee to take corrective action.

Answer: These requirements have gone through the public comment and rule making process and are part of the final Department of Energy Acquisition Regulation (DEAR) Conditional Payment of Fee Clause which establishes maximum fee reductions for certain types of ES&H or security violations consistently across the DOE. These reduction amounts will not be changed.

34. Section C.2.2.2, Work to be Performed, requires the small business to become a “co-permittee” on the facility RCRA Part B Permit. This provision of the RFP requires a small business to take on the full weight of a RCRA Part B Permit, with its many provisions for fines and penalties, for the federal government. This is not required under any of our more than \$220 million of contracts with several federal government agencies. This appears to be another punitive contract provision meant to discourage small business participation.

Recommendation: Remove the requirement for co-permittee and signing of waste manifests.

Answer: The contractor is required to sign all manifests and RCRA land disposal restriction notifications and be a co-permittee on the facility RCRA Part B permit. This is not intended to discourage participation of small businesses rather, it is intended to provide accountability for the contractor who is performing the work.

35. Will DOE have waste disposal contracts available for the contractor to use?

Answer: The DOE may have waste disposal contracts that may be used by the contractor(s), although the contractors are not required to use them. There is no guarantee that these DOE contracts will be available for use throughout the term of the contract(s). The contractor has the option to pursue the most economical waste disposal alternative.

36. Section B.1.3(b) What are “appropriation obligational control points” in DOE issued Financial Plans?

Answer: Obligation Control Points (or Levels) designate the level at which obligations are to be controlled in the Department. An obligation control level is an administrative limitation that represents an upper limit placed on the amount of obligations or expenditures that may be incurred for a specific program, function, activity, or element of expense.

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37. How long will the contractor have responsibility for the DUF6 SOW in Section C.2.3.2?

Answer: Transfer is March 2005.

38. C.1.1.1.1 Will DOE post a copy of the Treatability study to the web?

Answer: Yes.

39. Can I submit one proposal for both sites?

Answer: No.

40. When will DOE have BJC approval to provide MEPP/MEWA plans? b. Will this be prior to the bidders due date? c. If BJC can or will not serve as the plan administrator for the MEPP/MEWA Plans will DOE provide these benefit programs? d. If not, what alternative plans exist to ensure MEPP/MEWA plan programs are available as outlined in the RFPs?

Answer: a. The Multiple Employer Pension Plan (MEPP) and the Multiple Employee Welfare Arrangement (MEWA) plans are being evaluated for posting to the Remediation RFP Web Site. b. The plans will be posted to the Remediation RFP Web Site when available. c. Offerors are to assume that BJC will administer the plans as stated in the RFP. d. The MEPP/MEWA plans will be available as outlined in the Remediation RFP.

41. Given the UDS has successfully been awarded the DUF6 contract, and the Department is interested in minimizing workforce transition and work disruption why has the Department not transitioned the cylinder management function/scope of work? b. When does the Department intend to transition this work?

Answer: As stated in the UDS Contract and Remediation SOW, transition of cylinder management is March 2005.

42. Are there any contract requirements for the successful bidder to provide support to local communities- similar to the BJC requirements?

Answer: No.

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43. Past Performance Questionnaire for Major Subcontractors. Does this also include major subcontractors not integral to the team, e.g. Transportation & Disposal sub?

Answer: If the major subcontractors a currently permitted commercial disposal facility or a Federal Government owned disposal facility, you are not required to submit past performance questionnaires. This will be clarified in an amendment to the RFP.

44. Are the “funding levels” considered adequate to cover the completion of the scope of work in the RFP?

Answer: Yes, however, it depends on your approach to work

45. Could I get a copy of the attendee list for the January 28 meeting?

Answer: The list of the registered companies for the January 28, 2004 Pre-Proposal Conference will be posted to the Remediation RFP Web Site.